

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

No. CR 14-0306 WHA

Plaintiff,

v.

**ORDER DENYING MOTION
FOR RELEASE PENDING
APPEAL**


LUKE BRUGNARA,

Defendant.

Offender Luke Brugnara, through counsel, has filed a motion for release pending appeal. Under 18 U.S.C. 1343(b) a convicted offender shall be detained pending appeal unless he demonstrates by clear and convincing evidence that (1) he is not likely to flee or pose a danger to the safety of any other person in the community and (2) that the appeal is not for the purpose of delay and raises a substantial question of law or fact. As stated in the order denying the offender's motion for a new trial (Dkt. No. 763), repeated regularly in previous orders denying motions for pretrial release (*see, e.g.*, Dkt. No. 169), and clearly demonstrated by the offender's escape from the federal building, Brugnara is a flight risk and is not amenable to supervision. The motion for release pending appeal is **DENIED**.

IT IS SO ORDERED.

Dated: October 28, 2015.


WILLIAM ALSUP
UNITED STATES DISTRICT JUDGE